

E N D O R S E M E N T

W. MICHAEL CAHILL v. VERIZON, SYSTEM COUNCIL T6, LOCAL 2222 IBEW
04-CV-11986-MEL

LASKER, D.J.

W. Michael Cahill ("Cahill"), a *pro se* plaintiff, alleges violations of § 301 of the Labor Management Relations Act ("LMRA"), 29 U.S.C. § 185, for failure to fulfill the duty of fair representation and breach of a collective bargaining agreement. On January 4, 2005, the Court granted the Defendants' motion to dismiss on the grounds that: (1) Cahill failed to allege facts sufficient to support a claim, and (2) Cahill's claims were time-barred by the applicable six month statute of limitations. Cahill now moves for reconsideration. For substantially the reasons stated in the Defendants' Opposition, Cahill's motion for reconsideration is DENIED.

Cahill's motion fails to address the Court's basis for dismissal of his suit. Cahill has not cured the substantive shortcomings of his Complaint, as he has not sufficiently alleged a breach of the collective bargaining agreement by Verizon, or a union action that was arbitrary, discriminatory or in bad faith. Moreover, Cahill's Complaint was not filed until September 2004, well outside the six month statute of limitations.

Accordingly, Cahill's motion for reconsideration is DENIED.

It is so ordered.

Dated: February 14, 2005
Boston, Massachusetts

/s/ Morris E. Lasker
U.S.D.J.